

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RAFAEL VALENCIA GALLEGOS,

Petitioner,

v.

WARDEN, FCI OAKDALE II,

Respondent.

No. 1:24-cv-00105-SKO (HC)

ORDER OF TRANSFER

Petitioner is a federal prisoner proceeding pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241.

The federal venue statute requires that a civil action, other than one based on diversity jurisdiction, be brought only in "(1) a judicial district where any defendant resides, if all defendants reside in the same state, (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of the property that is the subject of the action is situated, or (3) a judicial district in which any defendant may be found, if there is no district in which the action may otherwise be brought." 28 U.S.C. § 1391 (b).

In this case, Petitioner is challenging the Bureau of Prisons' failure to properly apply time credits to Petitioner's sentence. Petitioner is incarcerated at USP Lompoc, and Lompoc is located in the Central District of California. Because the events which give rise to the instant petition occurred during Petitioner's incarceration at Lompoc, the United States District Court for the

1 Central District of California is a more convenient forum for the adjudication of Petitioner's
2 claims. In the interests of justice, a federal court may transfer a case filed in the wrong district to
3 the correct district. See 28 U.S.C. § 1406(a); Starnes v. McGuire, 512 F.2d 918, 932 (D.C. Cir.
4 1974).

5 In the interests of justice and good cause appearing, IT IS HEREBY ORDERED that this
6 action is TRANSFERRED to the United States District Court for Central District of California.

7
8 IT IS SO ORDERED.

9 Dated: **January 24, 2024**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE